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ADDRESS

BY

KEMP P. BATTLE, LL. D.,

ON THE

LIFE AND SERVICES

OF

BRIGADIER GENERAL JETHRO SUMNER,

AT THE

BATTLE GROUND

OF

GUILFORD COURT HOUSE.

JULY 4TH, 1891.

GREENSBORO:

Reece & Elam, Book and Job Printers.

1891.

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The President of the Guilford Battle-Ground Company, who, with wonderful energy and success, has been making green the memories of the warriors, who, on the 15th of March, 1781, 110 years ago, on this spot inflicted on the disciplined army of Cornwallis the blow which saved the Carolinas from slavery, has caused to be transported the remains of General Jethro Sumner from the wilds of Warren county to yonder green mound. The heavy stones, which by the care of his daughter, were over his dust, have been reverently taken down and as reverently re-erected here. It is my duty to-day to endeavor to aid the noble efforts of our President in sweeping away the dust which has accumulated over the history of this patriot of 1776.

The task has not been an easy one. The facts of his career were only obtainable by diligent re-search through many manuscripts of a public nature and through numerous volumes relating to the history of Virginia and the Carolinas and of the United States. His Family Bible, his private papers, his correspondence with his intimate friends, have been in the vicissitudes of years irretrievably lost. If I do not depict with such detail as you would like large parts of his career, you must attribute the failure, not to want of industry on my part, but to the destruction of the family records, so characteristic of this restless, rapidly changing population of ours.

We know nothing of Gen. Jethro Sumner's family in England, whence it came. It must have been one of respectability and substance, for we find his grand-father William Sumner becoming a free-holder of Virginia soon after William and Mary ousted from the English throne Mary's tyrannical father, James II. He came about the time of

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removal by the choleric Governor Nicholson of the capital from Jamestown to Williamsburg and of the founding of the second college in America, the noble old William and Mary, named in honor of the new Sovereigns, (1691). On his plantation, called Manor, (for English ways and English names were then much liked) one mile from the town of Suffolk, he raised his tobacco and his corn and wheat, and after the fashion of the day, his blooded horses and fat cattle, while a family of five boys and one daughter grew up around him.

The name of the daughter has not come down to us. The names of the five boys were Jethro, John, James, William and Dempsey. It is altogether probable that Jethro was the oldest. The right of primo-geniture then existed and was dear to the land-holders, who had not lost their English love of aggrandizing the family name by entailing the principal homestead on the oldest son. I find that Jethro Sumner was in 1743 one of the first vestrymen of the Episcopal church at Suffolk, and his oldest son, Thomas, was in his stead four years afterwards. General Sumner in his will refers to the "Manor plantation" of his brother in Virginia. These facts seem to show that Jethro, the elder, inherited the paternal land.

They are not conclusive, however. There is a seemingly well authenticated tradition that he married a wealthy woman. This may have enabled him to own a "Manor plantation" near his native place, to attain the dignity of a vestryman, and devolve the same on his eldest son.

Jethro Sumner, the elder, died early, leaving three children, Thomas, already named, Jethro and Sarah. Thomas lived many years and died a bachelor, though not childless. General Sumner's will shows that he did not devise his "Manor plantation" to him, but bequeathed him only a legacy in money.

Sarah married a man with the singular name of Rushworms, whose family seems to have become extinct.

Jethro Sumner, the younger, was born in 1733 and was probably about twelve years of age at the death of his father. How long he had been deprived of a mother's care we do not know. There is a tradition that he was well cared for by his mother's mother.

It is important to understand the influences by which his character was moulded and his physical powers fitted for the rough life he was destined to undergo. To use the word so much a favorite with scientists, what were his environments in childhood and boyhood?

His father, as I have stated, was a vestryman of a parish of the church of England, that of Suffolk. Associated with him was Andrew Meade, one of the wealthiest and most influential men of his day, father of Richard Kidder Meade, one of Washington's most trusted aides-decamp throughout the Revolutionary war, and grandfather of the eminent Bishop William Meade, who revived the Episcopal church in Virginia and whose book on the "Old Churches and Families of Virginia" is a store-house of valuable information. With Meade and Sumner were Edward and John Norfleet, Lemuel Riddick, Daniel Pugh and John Gregory, members of prominent families in Virginia and North Carolina. It was the custom for the heads of the great families of each neighborhood to be placed on the vestries because, as church and State were united, they were civil as well as ecclesiastical officers. They levied taxes and enforced the laws. Most of the Burgesses who made the laws were vestrymen. In the old vestry lists appear George Washington, Peyton Randolph, Edmund Pendleton, General Nelson, Governor Page, Richard Henry Lee, George Mason and hundreds of others, the best men of Virginia. While nominal adhesion to the Church of England was

required, no exhibition of piety or religious behaviour was a condition precedent or subsequent for holding the office. In many cases parsons were not patterns for their flocks. I give only one instance out of many to illustrate this statement. One of the colonial parsons engaged in a fisticuff fight with his vestry and signalized his success over his adversaries by a triumphant sermon on the following Sunday on the text from the prophet Nehemiah, "I contended with them and cursed them, and smote certain of them and plucked off their hair." It is to the credit of the vestry of Suffolk that they ejected from their church one Balfour who was guilty of drunkenness and profanity. Of course there were numbers of excellent men like Commissary Blair, but when bad examples were not uncommon it could not be expected that the laity should have a much higher standard of Godly piety.

The East Virginia planters of Colonial days were a race of striking virtues, but with many defects both as to character and conduct. They were high spirited, brave and truthful. They were loyal to the English Crown, but they understood their rights and were always ready to defend them. As their plantations supplied them with nearly all the necessities of life and they had a surplus sufficient to furnish the guns and powder and shot, the tea and coffee and sugar, the ribbons, the laces and other knick-nacks, which the fair sex of all ages and under every clime must have to gild the refined gold of their natural charms, they were in heart and habit independent. The country mansions were the theatres of generous hospitality and kindness. There was lavish abundance of home-made productions. There was not much travelling when thirty-five or forty miles a day over rough roads and dangerous ferries were the rule, but the people were free from the feverish restlessness engendered by our railroads and steamboats. The occasional visits to rela-

tives and friends on occasions of weddings or natal days or Christmas holidays, or to the great world at Norfolk or Richmond, or the capital, Williamsburg, were productive of more thrilling pleasure than the frequent and stale modern excursions to seaside or to mountain.

The occasional visits to the town gave glimpses into the world of fashion. Theatrical companies aped the acting of London and Paris, and the great balls brought out powdered wigs and bespangled coats and magnitudinous hoops and gorgeous silks and ruffles which would have passed muster in the circles beyond the Atlantic.

The colonial planters were devoted to horses, and boasted justly that they owned scions of the best racers of England. They had frequent races and both sexes thought it no harm to bet on them, the men heavily, often to the impairment of their fortunes, the ladies seldom venturing beyond a pair of gloves. Foxes abounded so as to threaten the existence of lambs and poultry; great hunts were not only a sport but a necessity. These were rounded off with bountiful feasts and drinking frolics, thereby causing the name of fox-hunting to be synonymous with reckless dissipation. Cock-fighting and gambling at cards were considered respectable in those "good old days." Grand balls assembled the young and the old for the stately minuet and the lively Virginia reel, and weddings were celebrated with festivities which lasted for many days. They were a gay and fun-loving people. There has come down to us an advertisement which describes the sports which doubtless young Jethro often joined.

First is to be a horse-race. Then came a match at cudgelling (or fighting with sticks) for a hat as the winner's prize. Then twenty fiddlers are to compete for a new fiddle, all the competitors to play together and each a different tune. Twelve boys are to run 112 yards for a

hat worth twelve shillings. A wrestling match follows, a silver buckle is to adorn the leg of the victor. The prettiest girl on the ground is to have a pair of silk stockings worth a "pistole" (a Spanish gold coin of about \$4.00 value). The managers assure the public that "this mirth is designed to be purely innocent."

The young men learned the art of horsemanship not only in fox-chases, but by constant habit of visiting and travelling on horseback. So deep-rooted was this fashion, that a traveller of that day avers that he has often seen men walk five miles to catch a horse in order to ride one.

The use of fire-arms was learned by practice in hunting bears and deer, wild turkeys and squirrels, and other game so numerous as to seriously threaten the existence of food crops. Shooting-matches, too, were common, the victor not only winning the stake, but receiving the plaudits of admiring neighborhoods.

There was little of what we call education. A few boys received college training at William and Mary. Still fewer were sent to the great schools or universities of England, but the greater part were content with reading and writing and a little arithmetic. The writing was invariably legible, but much liberty in spelling was allowable. Shakespeare spelt his own name in four different ways 150 years before, and his example of independency was followed in colonial times. If Washington and his generals had not fought better than they spelt, Clinton and Cornwallis would have shaken hands over a subjugated country. In General Sumner's will the county of "Isle of Wight" is spelled "Ilewhite." The gallant Murfree writes of "legenary coors" (legionary corps). Uniform spelling came in with Webster's blue-back spelling-book. The colonial gentleman was likewise too proud to be willing to submit himself to the strict gram-

matical rules of the solemn pedant who posed as the predecessor of Lindley Murray.

But while there was little education from books, there was a most valuable training from the exigencies of life in a country full of natural resources, but requiring for their development incessant watchfulness and incessant toil. The carrying the chain and the compass through thickets almost impenetrable and swamps almost impassible, the felling of forests, the defence from floods, the war of extermination against wild animals, the occasional march to help the settlers of the mountain lands to repel the hostile, or to barter for furs with the friendly, Indians, the rough sports on horse and on foot, all these, joined with watchful criticism and discussion of their rights by charter and by inheritance, made a hardy, self-reliant, independent, proud and daring people. They were, as a rule, respectful to those in authority, friendly and courteous to their equals, kind and considerate to their inferiors, but equally ready when angered by encroachment upon their rights to resist fiercely, to avenge insults, to crush insubordination even with cruelty.

While the bulk of the Eastern Virginia planters preserved the characteristics I have described, there were great modifications in individual instances caused by the New Light revival of religion about the time when the celebrated George Whitefield passed through the colonies, and by the thunders of his eloquence mightily stirred the hearts of the people. Many were moved to discard the prevailing amusements as sinful, but in the main the old ways and sentiments continued until rudely interrupted by the terrible destruction of wealth caused by the war of Independence. In some communities they lingered for many years afterwards, even up to the recent great civil war.

I have been minute in depicting the habits and the

character of the people among whom young Jethro Sumner was trained up to manhood, because in describing them I have pictured him. His removal to North Carolina did not change him for the better or for the worse.

Hardly had Jethro Sumner reached maturity before a contest broke out, of tremendous influence on the destinies of this country. This was the great struggle between the French and the English for the ownership of the magnificent territory, drained by the Mississippi and the great lakes and their tributaries. The French sought by connecting Quebec and New Orleans with chains of forts, and by gaining the alliance of powerful Indian tribes to confine the English between the ocean and the Alleghanies. If this plan should succeed the hated Gauls with their corrupt, despotic government and Roman Catholic religion, would dominate the Western world, as under the Grand Monarque, Louis XIV, they had dominated Europe. The English colonies would be stunted in their growth and possibly be swallowed up finally by their powerful neighbor. The colonies saw their danger and from Maine to Georgia they declared for war.

In the early stages the plans of the French were crowned with success. Our colonies had been designedly kept in a state of pupilage to the mother country. While there was great individual capacity, they had not been taught to organize into armies. Looking each to England for their commerce, and most of them for their chief executive and judicial officers and their clergy, they knew little of one another. Their laws were subject to the royal veto. They had not learned the immense value of union among themselves. Their levies of soldiers were badly supported and badly armed. At first too, the English government supported them in a manner feeble and actually tending to cripple their efforts. The officers sent were stupid and arrogant, as full of conceit of their

own importance as contempt for the colonists. There was disaster almost everywhere. Washington was forced to surrender to superior numbers at Great Meadows in 1754. In 1755 the pompous but brave old braggart, Braddock, lost his army and his life near Fort Du Quesne, the English were driven from Oswego, and from Lake George and the able and heroic Montcalm held possession of Louisburg, which commands the mouth of the St. Lawrence, Crown Point and Ticonderoga on Lake Champlain, Frontenac and Niagara on Lake Ontario, Presque Isle on Lake Erie and the chain of forts ending with Fort DuQuesne on the Ohio, while ruthless savages were laying waste the entire North West frontier of the British colonies.

In 1757 the genius of Pitt changed disaster into victory. He gained the confidence of the colonies by consulting their legislatures about the conduct of the war. He promised arms and ammunition, tents and provisions, the colonies to raise, clothe and pay the twenty thousand troops called into service with promise of reimbursement by parliament. Incompetent officers were replaced by able officers. Amherst captured Louisburg and superseded Abercrombie, who had lost two thousand troops in a rash assault on Ticonderoga. Bradstreet captured Oswego. Forbes, aided by Washington, seized Fort Du Quesne, and on the 13th of September the great contest was virtually won by Wolfe's heroic capture of Quebec. Well might old Governor Dobbs cause his glorious Thanksgiving Hymn to be sung to show our gratification for such signal victories, which he piously assures the Great Commoner, were in accordance with the prophecies of the Book of Revelations. The French power was broken and in the following year (1760,) which witnessed the death of the old King George II and the succession of his grandson George III, also wit-

nessed the final conquest of Canada and the end of the glorious dream of a dominating New France in the New World. Three years later the English flag waved over all the land from the Ocean to the Mississippi.

I give some verses of Governor Dobbs' hymn:

To God, our God's Almighty Name,
Let Britons all their voices raise,
And publish by the mouth of fame
In songs of joy our Saviour's Praise.

His church from papal Thralldom freed
And Gallie Powers united Force
His great vicegerent he decreed
O'er Briton's Isle to steer his course

From Wood the British Lion roars
Uprears the Christian sanguine cross,
O'er Eagle, Beast, triumphant soars
With Angels riding the white horse.

Now Angels charged with vials dire
Of Gods Great Wrath 'gainst Papal Beast,
Are poured forth in God's great Ire
O'er Beast, false Prophet, Heathen Priest.

Let Angels then in chorus sing
With us in Hymns of joy abroad
Hosanna to our Saviour King
Hosanna to his Christ our God !

Jethro Sumner was an actor in this great struggle. Bearing a letter of commendation from Governor Dinwiddie to Colonel Washington, he was in 1758 appointed a Lieutenant in a Virginia regiment of which Wm. Byrd was Colonel, General Joseph Forbes being Commander-in-Chief. Washington had been endeavoring with insufficient means, to defend the long frontier from the terrible savages, whose destruction of property and slaughter and torture of the settlers, old and young,

male and female, had been inconceivably horrible. No effectual stoppage could be put to their ravages without the capture of Fort Du Quesne. Forbes determined to lead an expedition against it. Washington urged that the old Braddock road should be followed. Interested speculators in Pennsylvania persuaded old General Forbes, now in the last stages of disease, to cut a new road through the wilderness of that State. Fifty days were occupied in going fifty miles. Forbes' second in command, Col. Henry Bouquet, desirous of winning all the glory, pushed forward Major Grant with about eight hundred Highlanders and a company of Virginians. Like Braddock's, his force was utterly defeated. The Virginians saved the detachment from annihilation, as they saved the remains of Braddock's forces. The winter was coming on. The fierce winds began to blow; the snow began to whiten the hills. The General and his council of war talked of delaying the march till spring. Washington begged to be allowed to lead the van with his provincials, who were clamoring for an onward move. Through all difficulties, watching against ambuscades, infusing his indomitable spirit into his men, he pressed on. The French officer saw that he had an officer of brains and daring in his front, and, setting fire to the wood-work of the fort, he fled with his troops down the Ohio. On the 25th of November, 1758, Washington and his brave troops marched into the ruined fortress. Jethro Sumner was one of those daring men, who gained for the Anglo-Saxon race the control of the Ohio, and started their onward march, which from that day has had no backward move, and ninety years later climbed the lofty Rockies and planted the starry flag on the shores of the Pacific.

His were likewise among the kindly hands which, after the victory was gained, reverently and tenderly gathered the bones of Braddock's men, whitened by the sun,

and amidst the solemn silence of the interminable forest, gave them christian burial. A great city, whose smoke from a thousand factories overshadow the scenes of those old fightings, commemorates by its name of Pittsburg the sagacious and daring war minister who prepared the victory.

Although Washington, after his great object was gained, being elected a member of the Assembly, resigned his colonelcy and carried his lovely bride to enjoy the festivities of Williamsburg, Sumner remained in service until his regiment was disbanded in 1761. He was evidently an officer of merit. An order published in the Colonial Records of our State, dated November 26th, 1760, from Colonel Bouquet, his superior, shows that he was intrusted with separate command at Fort Bedford. His regiment marched twice into the Cherokee country as far as Holston river, while Colonel Grant with an army of twenty-six hundred men terribly avenged the massacre of the garrison of Fort Loudon. For their services grants of land were authorized to be given to the discharged officers and soldiers who had served during the war—five thousand acres to field officers, three thousand to captains, two thousand to subaltern and staff officers, two hundred to non-commissioned officers, and fifty to privates. Sumner having reached the grade of Captain, was entitled to three thousand acres.

This war prepared the way for American Independence. It taught the Colonists their own strength. It taught them how to fight, and what is of still more importance, that they could fight. When they themselves had protected the arrogant British regulars from destruction, when they had seen the superiority of their own officers to those of the mother country, the superiority of Washington, for example, over Braddock, the traditional idea of colonial inferiority vanished forever. They learned

the value of union. They learned the value of organization and discipline. The war was a training school for their officers—for Washington and Mercer, Sumner and Montgomery, Putnam and Morgan and many others.

After his return to Nansemond the young officer determined to change his home. Probably his long service among the hills and mountains had given him a distaste to the dreary flatness of the lands which adjoin the great Dismal Swamp. Only an imaginary line separates our State from Virginia. There has been for two centuries a steady movement of population from the dearer lands of the valley of the James to the cheaper lands drained by the streams which flow into the Albemarle and the upper waters of the Tar. The Sumners, the Eatons, the Mannings, the Smiths of Scotland Neck, the Ransoms, the Armsteads, the Riddicks, the Norfleets, the Saunderses, the Lewises, the Ruffins, the Camerons, the Battles, the Plummers, the Bakers, the Pughs, the Winstons, the Winbornes, the Hunters, the Bridgerses, the Thomases, the Taylors and hundreds, perhaps thousands of others, were all old Virginia families. Some changed their homes because, being younger sons, they had no share in the paternal lands; others, because high living or losses by gaming had worsted their estates; others to exchange few acres for many equally fertile, or old fields for virgin forest, others to escape by settlement among the rolling hills of Bute and the country westward the miasmatic diseases of the low country. But for whatever cause they migrated they changed neither their opinions nor their practices, nor their business habits. They still sent their produce to Virginia markets—Richmond, Petersburg or Norfolk. Returning wagons brought back the tea and coffee and sugar and molasses and ladies' finery. They kept their accounts in both Virginia and North Carolina currency. Visits to these cities for shopping or pleasure were the *summum bonum* of

the aspirations of young men and maidens. Those who enjoyed this entrancing felicity were considered as greater travellers, and were regarded with more envy than those who now tell of scaling Alpine Summits, or gazing at the domes of St. Peter or St. Paul, or chaffering with the shop girls of Paris. When I was young I heard from the lips of those who were belles of Warren nearly a hundred years ago stories of the gayety of the balls and the splendor of the theatres, and the gorgeousness of the dresses of the Virginia cities. What a grand State we would have if James river were our Northern boundary! How much wealth and how many bright sons and daughters of ours have been carried off to enrich our neighbors!

Most of these emigrants from Virginia became true North Carolinians. Occasionally would be heard arrogant boasting of Virginia superiority, as from the old man, mentioned to me by my mother, who answered all who disputed with him, "Weren't I born in James river, and ough't I to know?" But most of them, as Jethro Sumner did, devoted their affections and their energies to their adopted State.

Captain Sumner settled at the court house of the new county of Bute (pronounced Boot), named in honor of the first instructor and minister of George III, who became so odious that a favorite amusement among the populace was with groans of derision to throw an old jack-boot into a bon-fire and dance around the crackling effigy. An early General Assembly of free North Carolina expunged the name of the odious Marquis from the map and substituted Warren and Franklin as names of the new counties carved from the old. The court house of Bute was a few miles to the south of the present county seat of Warren. Here Jethro Sumner set up his household gods.

It is a lovely country. A traveller, a captain in the

British army, J. F. D. Smyth, who visited all parts of the country south of the Potomac and Ohio about a year before the breaking out of the Revolutionary war, says, "There is an extreme valuable body of rich high land that extends five miles around Bute court house; this whole tract is strong and fertile in an uncommon degree. There is scarcely a pine tree to be found within that distance, although the surrounding woods on every side are much mixed with them." Governor Josiah Martin, in a letter to Earl Hillsborough in 1772, mentions having passed through Granville and Bute, and is strong in his expressions of praises of their prëeminence both in soil and cultivation as well as in the manners and condition of the inhabitants. He was preparing to buy a home here when he was driven from our State.

We do not know the exact date of Sumner's settlement in Bute. It was certainly prior to 1769. Mr. Wm. J. Norwood has in his possession an account book kept with all the neatness of penmanship and durability of black ink so remarkable among our ancestors. It contains the dealings of the neighbors with the keeper of the tavern at Bute Court House. It shows among many others the account of General Sumner from November 1769 to November, 1774. It effectually contradicts the statement of Captain Smyth as to his occupation. He says Sumner pursued the business of tavern-keeper, and that more than one-third of the general officers of the American army had the same occupation, and were chiefly indebted to that circumstance for their rank. He gives as a reason that by this public calling their principles became known, and their ambitious views were excited by the variety of the company they entertained. Smyth's book shows violent false prejudices throughout. In his opinion Washington was a very poor General, but a most cunning demagogue, his moderation and disclaimer of desire for

office being only for electioneering purposes. The book is valuable in many respects, but utterly unreliable in its statements about the officers of our army. It would have been no discredit to Sumner if he had been the keeper of the only inn at the Court House, but this account-book shows that he was the owner of it and rented it to one Elliott for £36 per annum. Smyth states, as we learn from other sources, that he had married "a young woman of good family, who brought him a handsome fortune."

Captain Sumner was appointed sheriff in 1792. The office was a very dignified and responsible one. The appointment was by the Governor of one out of three nominated by the Justices of the county. I have a copy of his commission, signed by Gov. Jo. Martin at Hillsborough at August Term, 1772. It is a proof of the high character and business habits of Sumner, that while there had been great uprisings of angry people in some of the counties almost adjoining Bute, and loud complaints of extortion and embezzlement in those and many others, there were no charges of such criminal conduct in Bute. There were no Bute militia in Tryon's army which marched against the Regulators in 1771, from which I gather that while they themselves were not disposed to join the insurrection they knew too well the sufferings of their neighbors to be willing to crush them by armed violence.

The account-book of Bute Court House tavern confirms my statement that Sumner and his neighbors retained the habits and feelings of Eastern Virginia. The New Light and Great Revival, if they made any impression on them, it was only transitory. We see glimpses of the same high-living and love of fun. We see notices of a Court House ball, of a "bull-dance," the progenitor probably of the modern "stag," of a game of pitch, (quoits, probably, of which Chief Justice Marshall was especially fond); of games at cards, at which one of the players

"got broke" and borrowed money of the landlord, of £10 paid by Sumner for the erection of a battery, which was a wooden wall for playing the good old game of "fives;" of a barbecue costing £6, 7s and 3d, given by William Park; and of fox-hunts of course. All these were accompanied by drinking of liquor in some shape. Sometimes it is rum pure and simple, or as we say "straight;" more seldom it is brandy, never whiskey, but usually it is some mixture. The most common is bumbo, composed of rum, water, sugar and nutmeg; but we have also juleps (spelt julips) and grog and flip; sometimes we see wine and sangaree and cider too (spelt cyder). There is an entry which the rising generation hardly understands. After a "rousing frolic" is a charge for "broke glasses." This suggests the foolish custom of winding up the feast with some jolly toast and, after drinking it, smashing the tumblers against the ceiling, typifying that having conferred a pleasure so divine, they should never henceforth be debased to any ignoble use.

And in this account-book we detect William Person (called Billy Parsons) and Green Hill, members of the General Assembly, engaged in what we consider a crime, but was then expected of all candidates—that is, treating at elections. They are charged with their proportions of "liquors expended in the court house while voting, 10 shillings; also toddy 1s and 3d. Rum 1s 6d. Toddy 1s 2d."

There was a strange hallucination in regard to spirituous liquors in the "good old days." The men of that generation thought they were drinking health and joy and long life. In truth they were drinking down gout and dropsy, and liver disease, and kidney-troubles, and short life. There were few old men of that generation.

General Sumner was like the rest—he kept the prevailing fashion. Smyth says he was a "facetious" man. Doubtless he told good stories about his experiences in

the army, and the peculiarities of the unlettered back-woodsmen with whom as sheriff he had dealings. He was "of person lusty and rather handsome," says Smyth, that is he had a strong body and vigorous health, and a fine manly bearing. The cynical Englishman of a nation of grumblers, chronicles that his dinner was excellent. All those colonial gentlemen understood the art of giving good dinners. The woods swarmed with fat turkeys, tame and wild. Pigs were always ready to supply the luscious barbecue. Steaks of venison or tender beeves, hot biscuits and glorious corn-bread, only to be found on Southern tables, savory ham and fresh fish from the fish trap in the creek, together with abundant vegetables and the jams and preserves and plum pudding, which his young wife with her snowy apron and her stately courtesy knew so well how to make; all these and more smoked on the table, while the odors of nutmeg and mint floated in the air. We can easily call to our mind the Jethro Sumner of that day, at the age of forty-two, his long hair combed back so as fully to expose his rubicund face, tied in a cue behind, his countenance frank and open, looking one straight in the face with a clear, bright eye, his body inclining to portliness, as became the devourer of good cheer; vigorous from out-door exercise, on foot or on horse, in sport and on business, having the air of authority as became the executive officer of a county in those monarchical days when official station inspired far more awe than at present; as became too a man who had learned the art of command in actual service in an army where officers and men were widely separated by social as well as army rank; as became, too, the owner of a great estate and many laborers. At the dinner-table in the familiarity of social intercourse with a young military officer of wealth and good blood, he showed appreciation of a good joke, a quality which has

not yet died out in North Carolina. I think better of him for that. Capt. William Biggs, an admirer of Chief Justice Merrimon, and Col. Henry A. Dowd, an admirer of Senator Vance, were once rather heatedly discussing the relative excellencies of their favorites; "I admit," said Biggs, "that Vance can tell a joke better than Merrimon"—"Stop right there!" shouted Dowd, "I tell you no man but a smart man can tell a good joke." It is a pleasant picture—these two—the Bute county sheriff and the English officer exchanging their army anecdotes over their nuts and wine, or rather, I should say, over their hickory nuts and bumbo, in the beautiful month of November, 1774, both too polite to discuss the angry questions which will in three years array them in opposite armies at Germantown, thirsting for each other's blood, the host an American colonel, the guest a British captain. Notwithstanding Sumner's desire to be agreeable to his guest, Smyth notices that he was a man "of violent principles" in regard to the pending quarrel between the mother country and the colonies. Being a man of ardent temper he embraced the cause of the colonists with his whole soul. A few words as to the nature of this difference.

The last French and Indian war left Great Britain with a debt so enormous in the eyes of the financiers of that day that it seemed impossible to pay it, \$700,000,000. To an Englishman, the claim that the colonies should help to pay these expenses incurred partly for their own benefit seemed most reasonable. It seemed equally clear to him that parliament should exercise the taxing power for the purpose of securing such payment. To Americans also the first proposition was not unreasonable, but to the second was determined and angry dissent. Planting themselves on their rights as inheritors of the principles of Magna Charta and other great bulwarks of liberty, and

on their special right granted by their charters the colonists said "the British parliament can tax the property of the people whom its members represent, but the parliament of each colony is the only body which can tax the property of its people." For over one hundred and fifty years they had possessed home rule in regard to the control of their liberties and their property, and this home-rule they determined to retain in all its integrity, or die. Kings, Lords and Commons, the legislature of Great Britain could regulate the internal affairs of the British Isles. King, Council and Assembly only had power to regulate the internal affairs of each colony. They had submitted to odious navigation laws passed by the imperial parliament because they affected their external relations, but they had never submitted and they vowed they never would submit to the acts of parliament, not elected by themselves, affecting their internal relations, for that would be slavery. They were Englishmen and as such loved the monarchy. The youthful King George was for a time popular. He and Charlotte of Mecklenburg had homely virtues and kindly hearts. Although our ancestors expunged from our maps the odious names of Tryon and Bute they allowed the names of Mecklenburg and Charlotte to remain. They loved to talk of "Farmer George." They believed that the hostile legislature was the work only of the Lords and the Commons, and hence they constantly and in vehement terms even in the early days of the war protested their loyalty to the crown and confidence in the people of England, as distinguished from the politicians. They found to their cost that although in his private capacity he was a man of benevolence, as sovereign, the King's views of the royal prerogative made him the most lasting enemy of their independence, and after blood began to flow the people seemed to sustain the parliament.

No part of the State was more unanimous in resistance to English aggressiveness than the county of which Sumner was sheriff. "There were no Tories in Bute" was the proud boast. And few families contributed as much to the common cause as the descendants of William Sumner. One of his grandsons, Luke Sumner, repeatedly represented his county, Chowan, in the State Congresses before and the State Senate during the war, and was the highly trusted chairman of the committee of safety from Chowan, member of the eminent committee which reported the constitution of 1776, and many other important committees, such as those for the purchase and manufacture of arms. David Sumner was a member of the State Congress of August, 1775, and of the committee of safety of Halifax and Lieutenant Colonel of Militia. James Sumner was Lieutenant in a company of Light Horse. Robert Sumner was member from Hertford of the Convention of 1776 which formed the State Constitution, and of the State Senate afterwards, while Elizabeth Sumner's husband, Elisha Battle, was representative from Edgecombe in the State Congress of 1775, 1776 and the State Senate under the Constitution.

But the most eminent of all the family was Jethro Sumner, whose "violent principles" were noticed by Smyth. As sheriff it was his duty to hold the elections, and he could not himself be elected to the Convention of 1774 and of March, 1775, but after the flight of Governor Martin to the royal-ship Cruiser, we find him member of the Hillsboro Congress of August, 1775. This notable Provincial Congress, still holding to the constitutional notion that the king could do no wrong and that consequently all acts in his name were the acts of parliament or of ministers, all signed a test, drawn up by a committee of which Hooper was chairman. No man could be a member without avowing in writing his determination to resist

to the utmost extremity all attempts by parliament to impose taxes upon the colonies, or to interfere with its local concerns, and pledging himself under the sanction of virtue, honor and the sacred law of liberty to support all acts of the Continental and Provincial Congresses, because they were freely represented in them. This test was afterwards to be signed generally by every organized body in the Province.

The Congress proceeded with firmness and wisdom to inaugurate a provisional government and prepare for war. The militia was organized, a special force of five hundred minute men for each of six judicial districts was ordered to be raised, besides two regiments of five hundred each for the continental army. Bounties were offered for the manufacture of articles most needed.

Captain Sumner was chosen Major of the minute men of the Halifax District. They were in effect volunteer militia, with privilege of electing their company commissioned officers. A bounty of 25 shillings was allowed privates to buy a uniform, to consist of a hunting-shirt, leggings and black garters. An allowance of ten shillings for a smooth-bore musket and twenty shillings for a rifle was made to those furnishing these weapons. When in actual service the colonel was paid 14 shillings a day, major 9 shillings and 6 pence and so on; a private 1s 20d 3f. The minute men were to serve six months and were to be drilled 14 days at the beginning of their service and once a fortnight afterwards. They were to be subject while in service to the laws of war. The officers were to out rank militia officers of the same grade. Some of these minute men did excellent work in the prevention of the rising of tories and sometimes in actual fighting.

Major Jethro Sumner at once showed the superiority natural to one who had learned the art of war under

Washington. Occasion was now had for his services. Within a few weeks after the adjournment of Congress the following order was issued:

IN COMMITTEE OF SAFETY,

November 28th, 1775, Halifax.

Ordered that Major Jethro Sumner raise what minute men and volunteers he can, and follow Colonel Long with the utmost dispatch. By order.

A copy.

OROON. DAVIS, *Clerk*.

Colonel Long was doubtless Nicholas Long, of Halifax, Colonel of Sumner's batalion. Three companies had been apportioned to Halifax and two to Bute. Lord Dunmore, the execrated Governor of Virginia, was ravaging the coast of the Chesapeake and threatening Norfolk. Most probably Colonel Long had hurried to the defence of Norfolk, and Sumner followed with the minute men of Bute. On the 9th December, eleven days after the order of the committee of safety, the minute men of Virginia defeated Fordyce's grenadiers in the action at Great Bridge. Colonel Howe, afterwards General Howe, hurried forward the second regiment of Continentals, and took command of them and of the North Carolina minute men. He arrived two days after the victory of the Great Bridge, but he and his troops so gallantly defended Norfolk that the baffled Dunmore on the first day of January, 1776, burnt the town and sailed away. Howe was emphatic in his praises of the troops under his command and the Legislature of Virginia thanked him and his men for their efficient services, while the Provincial Council of our State resolved "that he was justly entitled to the most honorable testimony of the approbation of the Council for his important services" and thanked him and all the brave officers and soldiers under his command for

their splendid conduct, having acquitted themselves greatly to their honor and the good of the country."

The slender hope of accommodating the differences of the two countries grew rapidly less. Blood was shed on North Carolina soil. The British authorities, with the co-operation of Governor Martin, formed a scheme to bring upon the Province the horrors of a civil strife with the Tories, of insurrection of the slaves and Indian massacres on the western frontiers. They were all checked by the defeat of the Tories at Moore's Creek Bridge and by the crushing of the Cherokees by Rutherford. The Congress of 4th April, 1776, at Halifax, looked the great issue boldly in the face, discarded their hope of friendship from the English King or English people, and, the first of all the colonies, authorized its delegates in the Continental Congress to vote for Independence. The militia was ordered to consist of all between 16 and 60 years of age. A Brigadier-General for each district was elected. Four additional regiments were voted for the American Continental army, and £400,000 or \$1,000,000 in bills of credit were ordered to be issued for the purpose of paying all expenses. The name of Provincial Council for the supreme executive power was found to be inappropriate, as the word "Provincial" implied a recognition of dependence on Great Britain. The name Council of Safety was substituted. Large executive and judicial powers were given, care being taken, however, that they should not be despotic. Three vessels of war were ordered to be built and officers appointed for them.

So highly appreciated was the conduct of Major Sumner that at the next meeting in April of the Provincial Congress he was promoted to the Colonelcy of the 3rd Regiment of the Continental troops. His field officers were William Alston, Lieutenant-Colonel; Samuel Lockhart, Major. His Captains were William Brinkley, Pin-

kethman Eaton, John Gray, William Barrett, Jacob Turner, George Granbury, James Cook, James Emmett. The other Colonels were Thomas ~~Park~~ of the 4th, Edward Buncombe of the 5th, and Alexander Lillington of the 6th. Owing to the promotion of Generals Moore and Howe to be Brigadier-Generals, Francis Nash soon to be promoted, and Alexander Martin were made Colonels of the 1st and 2nd Regiments. The enlisting of men was voluntary, and the following instructions to recruiting officers are interesting. They were to accept "able-bodied men only, capable of marching well and of undisputed loyalty." Regard must be had as much as possible to "moral character, particularly sobriety." The Colonel was authorized to reject those not fit for service. No soldier under 5 feet 4 inches high shall be enlisted. They must be healthy, strong-made, and well-limbed. The character of disqualifying bodily infirmities sounds strange in our day. They must be "not deaf or subject to fits, or ulcers on their legs, or ruptures." The last mentioned may have been frequent on account of the practice of log-rolling matches, and other violent exercises, but what caused the prevalence of ulcers and fits is a mystery. The recruit took an oath to be "faithful and true to the United Colonies" and to "lay down his arms peaceably when required so to do by the Continental Congress;" that he would serve the United Colonies to the utmost of his power in defence of the just rights of America against all enemies whatsoever," so that the soldiers were no longer in any manner subject to the orders of North Carolina. This probably explains the jealousy of certain North Carolina officials toward them.

The amount of information we have of the early movements from day to day of these Continental troops is remarkably meagre. The statement of Hugh McDonald, an unlettered private in the 6th regiment, written at his dicta-

tion years after the war, printed in the North Carolina University Magazine, is almost our sole authority for much of their history.

McDonald, recently from Scotland, who had been with his father a Tory, at Moore's Creek Bridge, was taken as a guide by a party of Whigs, engaged in arresting the participants of that battle. He was offered the liberty of returning to his father, but being fearful of his vengeance, enlisted in the 6th regiment under Lillington, when "about the age of fourteen years." About the middle of July, 1776, the recruits were carried to Wilmington, where General Francis Nash was in charge of the brigade of 6 regiments. Lillington was too old to go on parade, and Lieutenant-Colonel Lambe was substituted. Recruiting had been very successful and the regiments were full. About the middle of November the troops were marched north to join Washington, but were stopped for three weeks in Halifax on the land of Col. Nicholas Long, now Commissary-General of this State. They were marched back to participate in a campaign against Florida. They paused on their journey near the boundary line of South Carolina, about three weeks, "making excellent beds of the long moss of the trees." Here a squad of men claimed that they were enlisted for only six months, and on being refused their discharges deserted. "Three of them were colored people," so it appears that free colored men helped to gain American Independence. From this camp they marched to Charleston, and lay in camp opposite to Fort Sullivan until the middle of March, living on fresh pork and rice as their constant diet, the expedition to Florida being abandoned.

The account of McDonald is in the main correct, without doubt, but is not true as to at least three of the Continental regiments. It has always been thought that only the first and second regiments under Colo-

mels Moore and Martin, brigaded under Brigadier-General Howe, participated in the brilliant defence of Charleston on the 28th of June, 1776, Charles Lee being General in Chief, and that they only of the North Carolina soldiers were entitled to the splendid praise of General Lee, all the more valuable because he had been an officer in the English army, "their conduct is such as does them the greatest honor; no men ever did and it is impossible ever can behave better," and again in his report to the Virginia Convention, "I know not which corps I have the greatest reason to be pleased with—Mecklenburg's, Virginia's or the North Carolina troops; they are both equally alert, zealous and spirited." But a letter from Col. Jethro Sumner to Lieutenant-Colonel William Alston, printed in the 10th volume of our Colonial Records p 790, shows, I think, that Sumner and his regiment were at the defence of Charleston.

A few days after this victory at Charleston in July, 1776, General Lee undertook an ill-advised expedition to attack St. Augustine in Florida, taking with him, says Moultrie who was second in command, the Virginia and North Carolina troops. At Savannah, after losing many from sickness, he halted until he was ordered North by Congress. Moultrie refused to continue the movement unless properly furnished with material and supplies, which Lee had totally neglected and which were never furnished. The letter from Sumner to Alston dated September the 3rd, shows that his regiment was with this ill-starred expedition and of course was with Lee at Charleston.

The letter places Sumner in the most favorable light. He states that General Lee had given him leave to return to North Carolina for the purpose of providing necessaries for the troops in view of the coming winter. He urges Lieutenant-Colonel Alston to be particularly

careful of the discipline and to keep a good understanding among the officers and soldiers. He wishes them informed of the cause of his leaving, that it was to their benefit. He says, "You are at all times to keep up a strict discipline, but to reserve a mode of clemency as among young troops; now and then to throw something of a promising hope among them of a quick return to North Carolina, which I doubt not but sometime hence will be the case. It will engage the mind and for a time dispense with inconveniences. Be careful in seeing no fraud is done them by the commissaries, and their pay regularly to a month delivered by their captains."

We see here a kind, fatherly and careful heart. Receiving his commission in April his troops are raised and when first under fire at Charleston two months afterward behaved with conspicuous gallantry. We learn from many sources that they were badly provided with arms and clothing. They are marched by the restless, ambitious, injudicious Lee in the sickly season, through the swamps of South Carolina to Savannah. Finding it impossible to go farther for want of supplies, they are placed in pestilential camp without any near prospect of active service. Their Colonel, believing that they will remain in winter quarters here, gets leave to go to their distant homes in order to obtain necessaries for their comfort. His heart yearns for them in his absence, and he urges the Lieutenant-Colonel who is to command them to be strict in discipline, but at the same time to remember that they are young troops, and need encouragement and comfort. He fears that they will become homesick, and that they will be cheated by the commissaries. He exhorts the Lieutenant-Colonels to keep up their spirits by arousing hopes of early return to their beloved State, and to see that they get their rights. Soldiers with such a sympathetic and careful commander were sure to recip-

locate his watchfulness for them by attention to duty in camp and on the battle-field.

At the same time that Colonel Sumner went to North Carolina, Lee was ordered North to join Washington. At the urgent request of the authorities of Georgia and South Carolina, the North Carolina troops remained for the defence of those States during the fall and winter following the Declaration of Independence. During this time Washington's army by the expiration of enlistments and the casualties of the retreat across New Jersey, frequent skirmishes, including the brilliant victories of Princeton and Trenton, had been reduced to 7,000 men. It became probable that the next struggle would be for the possession of Philadelphia. The North Carolina troops were on the 15th of March, 1777, ordered to join his army. The route was by Wilmington, Halifax and Richmond. The story of their brilliant victory over the British fleet had preceded them. Their progress through Virginia was an ovation. They could, says the chronicle, hardly march two miles without being stopped by ladies and gentlemen who flocked to see them. At Georgetown those who had not suffered from small-pox were inoculated with such success that not a man was lost. They reached Washington's camp at Middle-brook about the last of June. They were placed under the command of General Alexander, Lord Sterling.

They had only a short rest. In a few days, after finishing their long march, General Howe, the British commander, embarked 18,000 men on transports, and landing at Elkton marched towards Philadelphia. Although Washington had only 11,000 men, part of them raw militia, he concluded that it would demoralize the country to give up Philadelphia without risking a battle. He met the enemy on the 11th of September at Brandywine. Sterling's division, including Nash's brigade, was under the command

of Sullivan. They showed praiseworthy courage. The flight of Sullivan's own division exposed the flank of Sterling and of Stephen. As Bancroft says "These two divisions, only half as numerous as their assailants, in spite of the unofficer-like behaviour of Stephen, fought in good earnest, using their artillery from a distance, their muskets only while within forty paces." They were forced to yield to superior numbers. Sullivan redeemed his want of generalship by personal bravery, and Lafayette fought by their side as a volunteer and was shot through the leg.

Within five days Washington was ready for another fight, but the conflict was prevented by a furious rain-storm, which damaged the powder of both armies. On the 4th of October he formed an excellent plan for attacking the enemy at Germantown. The brigades of Maxwell and Nash under Sterling, formed the reserve in the most difficult attack—that on the British left. This attack was successful, and if it had been properly supported by other parts of the army would have won the victory. North Carolina lost some of her ablest men—General Nash. Col Henry Iryin, Jacob Turner, a captain in Sumner's regiment, and soon afterwards the noble-hearted Colonel Edward Buncombe who was wounded and fell into the hands of the enemy, died at Philadelphia. Although the attack at Germantown failed, the spirit shown, the admirable plan, the speedy recovery from the disaster at Brandywine, proved to the world that such troops, with a leader so constant and wise and energetic, could not be conquered. It convinced the court of France that an alliance with the struggling colonies would be safe and tend to cripple her hereditary enemy.

Two more regiments from North Carolina joined the army during the winter of 1777-'78, the 8th under James

Armstrong, Colonel, and the 9th under John P. Williams, Colonel, and at least Armstrong arrived in time to participate in the battle of Germantown.

The North Carolina brigade went through with fortitude the heart-rending sufferings at Valley Forge in the winter of 1777-'78. When the news of the Alliance of the United States and France and the sailing of the French fleet to America induced the British commander to retreat to New York, giving up Philadelphia, they as usual did faithful service at Monmouth on the 20th of June—a victory which would have been most signal for the Americans but for the misconduct of the traitor Gen. Charles Lee. They were posted on the left of the army and prevented the turning of that flank by Cornwallis.

In May, 1778, on account of the diminished numbers, the North Carolina battallions, as they were called after joining Washington's army, were consolidated. The 6th was put into the 1st under Col. Thomas Clark; the 4th into the 2nd under Col. John Patton, and the 5th into the 3rd under Col. Jethro Sumner.

After the battle of Monmouth there was little fighting by Washington's army until the Yorktown campaign. It lay near Morristown, in New Jersey, and to the North of that point, watching the army of Clinton in New York. Sumner was promoted for his faithful services to be Brigadier-General on January 9th, 1779. The North Carolina regulars, dwindled to only seven hundred men, were ordered to the South for defence of Georgia and South Carolina. General Howe had been disastrously defeated near Savannah, and Congress had superseded him with General Lincoln. General Sumner and his brigade had the post of honor in the attack on the intrenchments of the enemy at Stone Ferry on June 20th, 1779. The troops were ordered to trust to the bayonet only, but meeting with a heavy fire, they could not be restrained

from returning it. They behaved with great spirit, but as Moultrie, who had been charged with this duty, was unable for the want of boats to prevent the arrival of reinforcements to the British, Lincoln withdrew his men with small loss and in good order. Soon after the battle active operations ceased, on account of the heated air laden with malaria. Sumner's strong constitution, which had resisted the fierce cold of a Pennsylvania winter, could not save him from the prevailing fever. He was forced to ask leave of absence, expecting a speedy recovery in the highlands of Warren. His presence in North Carolina was needed to aid in forwarding recruits to his depleted brigade. His request was granted early in July, and he was therefore not engaged in the disastrous assault on Savanaah by the French and American forces on October 9th, 1779.

In November, 1779, Gen. Sumner was again with Lincoln and joined in the advice to cross the Savannah into Georgia, a movement rendered of no avail by the defeat of General Ashe. On account of his great personal influence in North Carolina he was detached to raise four new regiments of regulars, and so escaped being captured at Charleston.

A more difficult and thankless task could not be conceived. He met with no sympathy from the civil authorities or from the people. The latter preferred the short terms and less exacting discipline of the militia service; the former sympathized with them and gave little aid to the enlistments in the regular service until the disaster of Camden and the invasion of Cornwallis made them tremble for the fate of the State.

Baffled in the attempt to conquer the Middle States the British ministry determined to transfer the theatre of war to the South. They believed that the fears of slave insurrections and the presence of a large Tory element in

the South would insure a speedy reduction of Georgia and South Carolina, North Carolina and Virginia to the authority of the crown. The character of the war was to be changed. Those who refused to return to their allegiance and to render active aid to the British cause were to be treated as traitors. Terror of imprisonment and death, loss of property, and insult, even outrage, to women and children was to be employed as a potent argument. The worst elements of society, the robbers and murderers, were to be furnished with authority to perform their nefarious calling, legitimated by the King's commission. All the horrors which have attended civil war in the darkest ages and among the most cruel people were now to be experienced by the Southern States, under the new policy of Clinton and Cornwallis.

The policy seemed for awhile successful. In 1779 occurred the disastrous failure to capture Savannah. In May, 1780, Charleston capitulated, and by the blundering policy of General Lincoln, 2,000 of our best regular soldiers, the heroes of many hard-fought battles, including the North Carolina brigade under Gen. Hogan, were lost forever. Georgia and South Carolina were overrun, only a few small partizan bodies under Marion and Sumter and others, keeping alive the slumbering fires of existence.

To make matters worse, Congress which had already inflicted one unwise General on the South, now sent another still worse. The defeat of Gates at Camden left North Carolina open to invasion, and inspired with courage all the despairing and disaffected to increase the ranks of the Tories. But the pluck and endurance of the patriots paralyzed for a short while, were soon as strong as ever.

General Sumner was one of the most active and efficient officers in the movement which led to the salvation of the Carolinas. I sketch briefly his services, premising

that Judge Schenck has, with his accustomed ability, given the same in greater detail in his valuable book, "North Carolina in 1780-'81."

Assaid before the North Carolina regulars, except those who were absent on leave, were captured under Lincoln at Charleston. Gen. Greene on account of unreliability of short term troops earnestly desired the organization of another brigade of regulars. He was ably seconded by the General Assembly, whose determinations like that of Senators of old Rome, rose higher as the invader drew nigher. As the Roman Senators did in times of extreme danger, they appointed a Dictator—a Council-Extraordinary—composed of the Governor (Nash), ex-Governor Caswell and William Brignol of New Berne, and for fear the Assembly should be prevented from meeting, gave it all the powers vested in the Board of War and Council of State, the powers of the purse and of the sword, the power "to do and execute every act and doing which may conduce to the security, defence and preservation of this State."

A new militia law was passed much more stringent and efficient than before, but even in their great extremity their dread of a centralized government was emphasized by the provision that officers of the Continental service should not be placed over the militia. Conscription, the last resort of a self-governing people, was adopted. A law to raise 2,720 men for filling up the Continental battalions was enacted and great bounties offered. The militia was divided into classes of fifteen, and the option to volunteer was given. If there was no volunteer, one from each class was to be drafted. Each volunteer or draft was to receive a bounty of £3,000 in bills or non-taxable certificates bearing six per cent. interest and receivable for taxes. In addition to this amount three barrels of corn per annum for the wife and each child un-

der ten years of age were to be given every year while the husband or father continued in service. A special tax of three per cent. of all the property of each class was levied to pay these bounties. To volunteers in the Continental line during the continuance of the war were offered £2,000 in cash, and at the close of service a prime slave and 640 acres of land. And finally all run-aways and deserters, all those who harbored deserters, all who failed to appear at the time of drafting, were to be *ipso facto* privates in the Continental army for twelve months.

Other strong measures were authorized, such as power of impressment of supplies for the army, the confiscation of property of Tories, and a specific tax of one peck of corn or the equivalent in other provisions, for each £100 of property. This was afterwards increased to one bushel. These were stern measures, and could only have been enacted by those who valued freedom over property and life.

Prior to the battle of Guilford, March 15th, 1781, there seems to have been small success in recruiting. The rapid movements and apparently the overwhelming superiority of Cornwallis, the fears engendered by his possession of Hillsboro and the great impetus given to the Tory movement, seemed to paralyze the people. Greene was forced to replenish his small army with militia. Seeing this state of things, Sumner, with the full approval and at the request of Greene, offered his services as commander of a brigade of militia. Greene had faith in the saying of the ancients that an army of hares with a lion at the head is superior to an army of lions with a hare to command them. The able patriot, Willie Jones, General of the Halifax brigade, was willing to surrender his place in favor of the tried veteran. But General Caswell refused the tender of service, and Jones being incapacitated by sickness, Gen. Thos. Eaton, the next in command, insisted on leading the brigade to their dis-

graceful desertion at Guilford Court House, after having, as Judge Schenck shows, performed their duty at the beginning of the fight. Once before had Sumner been treated with scant courtesy. When, after his flight from Camden, Gates left Caswell at Charlotte to gather together the fragments of militia, he thought best to join Gates in Hillsboro and left Sumner in command. By some influence the latter was superseded by Smallwood, not a citizen, and certainly not his superior in ability. He was in command, too, over a brigade of militia at Ramseur's Mills, on Deep River, Caswell being present, on September 5th, 1780. Why Caswell refused the services of so eminent and useful a soldier it is impossible now to ascertain. A charitable conjecture is that he thought the views of discipline held by a Continental officer trained under the exacting discipline of Frederick the Great, Baron Steuben, too severe for militia. His experience at Camden should have taught him sounder military views. The admirers of Caswell may excuse him on the ground that the law prohibited the employment of Continental officers over the militia, but this defence is met by the fact that the Council Extraordinary had full power to assign Sumner to this duty if in its opinion the safety of the State required it. Any two of the council could act, and Governor Nash, it is known, was, in his favor. On Caswell seems to be the sole responsibility of having in charge of our militia, not the proved veteran Sumner, nor John Baptista Ashe, nor Murfree, two other Continental officers chafing under enforced idleness, but Butler and Eaton, good men, but destitute of military experience, in whom the soldiers had little confidence and of whom they were not afraid. Virginia made no such mistake. The stern veteran, Stevens, placed behind his militia some of his grim, fearless old soldiers, with instructions to shoot all retreating without orders, and hence

the extraordinarily soldier-like behaviour of those raw troops. Morgan pursued similar tactics when he formed his militia at Cowpens, with a deep river behind them. They were afraid not to fight. As an old friend said to me once, "Fright is the bravest of all passions."

Gov. Alexander Martin differed widely from Caswell. On the 1st day of January, 177⁵2, he made an urgent request to General Sumner for Continental officers. He writes, "With your leave, Major Hogg accepts a command of Light Infantry of 500 men with Major McCree; Captain Tatum in command of a troop of horse attached to Major Hogg. Captain Dixon also will command such of the State troops as are now at Warren Court House until the corps can be organized under Lieutenant Marshall. * * * I flatter myself with the great advantage this State will derive from having the honor of Continental officers in its service at this important period which may finally blast the hopes of a despairing enemy and cause them to fall an easy prey to our arms."

Denied the opportunity of leading the militia in the pending campaign, imitating his great commander, Washington, who performed his public duty with serene indifference to misunderstanding and jealousy, in defiance of all difficulties and discouragements, Sumner energetically continued his efforts to raise his Continental brigade. His correspondence with Colonel Nicholas Long, Major John Armstrong, Major Pinketham Eaton, Col. Hal Dixon, and others, shows clearly the number and weight of his difficulties, and the extraordinary efforts to overcome them.

By letter and by personal visits he endeavored to spur up the recruiting officers to the enlistment of volunteers, the militia colonels to the enforcement of the drafts, the commissaries and quarter-masters to the collecting of supplies. He urged La Fayette and Steuben to forward

arms from Virginia. In some directions his success was flattering; in others the work was impeded by the fear of Tories, by the disloyalty or inertness of the drafting officers, by the poverty of sections, which had been harrowed by the enemy or by domestic marauders. Rank Tories often enlisted, drew their bounties and the same night deserted. He wrote strong and moving appeals to encourage volunteering or to reconcile the people to drafting—with no grace of style, but with the eloquence of earnestness.

His efforts were only in part successful. Col. John Armstrong, in a letter to Sumner, gives graphic account of the trials. He says: "The General (Greene) seems very uneasy about the delay of the draft of the Salisbury district and of the desertions that frequently happen by reason of the forced number of Tories into the service, and as soon as they receive the bounty they desert. I have received nigh 300 men, and will not have above 200 in the field. I did everything in my power to bring out the drafts of this district, but all to no purpose. There is one-half at home yet, and remain without molestation. As for clothing, there was little or none sent fit for a negro to wear, except from Rowan. I am sorry that I ever had anything to do with such slothful officers and neglected soldiers. There is a number of them now almost naked, and when cold weather sets in they must be discharged, for no officer would pretend to put them on duty. The neglect we have labored under heretofore, together with the present, make the service very disagreeable to every officer in camp. We are without money, clothing, or any kind of nourishment for our sick; not one gill of rum, sugar or coffee, no tents or camp kettles or canteens, no doctor, no medicine; under these circumstances we must become very inefficient." * * *

"I am afraid that in a short time you will have but few

officers in the field, by reason of the shameful neglect of the State. We seem rather a burden than a benefit to them; we are tossed to and fro like a ship in a storm."

At one time Sumner had orders to join Baron Steuben in Virginia. Armstrong says, "I wish it had been my lot to have gone with you to Virginia where we would have been under your immediate care. * * I am fully satisfied that you are not acquainted with our circumstances here, or otherwise it would have been removed."

The only thing praised by Armstrong is the pleasantness of the situation of the camp, "plenty of good water." "But," he adds, with a groan, "It hath one failing—it will not make grog." At that day, spirituous liquors, chiefly rum, were regarded as necessities more than either sugar or coffee, classed with medicine. General Wm. R. Davie, the Commissary-General of the State, on November 1st, in a letter to General Sumner, writes: "I have ordered some rum to be put in motion for the Southern army for the use of your brigade." "You are sensible," he naively adds, "that unless it is sent in charge of one of your own officers, it may lose much on its journey, and may not be properly applied on its arrival. General Davie's views accord with those of the old Scotch preacher, "My brethren! It is said that the test of honesty is being entrusted with uncounted gold. I am proud to say that many of you can stand that test. But there is one which I fear none of you can stand—being entrusted with unmeasured whiskey."

It will be noticed that Armstrong says that if Sumner had known of the sad condition of the soldiers a remedy would have been found. This is confirmation of what I have already mentioned of his tender care of his troops.

Although the required number had not been raised, yet Sumner was able on the 14th of July, 1781, to march

from Salisbury for Greene's camp in South Carolina, to take command of a thin brigade of one thousand men, distributed into three battallions, commanded by Colonels John Baptista Ashe, John Armstrong, and Reading Blount. Arms had been received chiefly from Virginia, some 250 of the muskets being excellent weapons, made in Philadelphia. The residue consisted of old weapons on which repairs were made after reaching camp.

In the pleasant hills of the Santee the raw soldiers, many of whom were conscripted because of their desertion from their militia duties, were taught the drilling and discipline of soldiers. The enemy, under Stewart, was near the confluence of the Wateree and Congaree, each army in sight of the watch-fires of the other. Two large rivers ran between, effectually preventing surprises, and the operations were confined to cutting off convoys and foraging parties, in which the infantry was not employed.

Greene was the first to move. On the 22nd of August he marched up the Santee, and Stewart, divining his intention to cross, fell back forty miles nearer his supplies at Eutaw Springs, where the battle occurred. In this stubborn conflict, in which both sides displayed the lofty qualities for which the Anglo-Saxon race is distinguished, Sumner and his brigade, although the soldiers were new levies with only three months' training, and most of them had never before been in battle, made such a brilliant charge as to win from General Greene the strong commendation. "I was at a loss which most to admire, the gallantry of the officers or the good conduct of the men." And again, "The North Carolina brigade under Sumner were ordered to support them, and though not above three months men, behaved nobly." Governor Martin wrote: "I congratulate you on the honor you have gained at the

head of the North Carolina army at the Eutaw." And such was the general verdict. Captain Smyth, the British officer heretofore mentioned, speaks of Sumner's having "distinguished himself in the course of the late war, being the General Sumner of the American army, who has been so active in the Carolinas."

Although the glory of the conceded victory was denied the Americans, the British forces hurried off to Charleston, and Greene, weakened by the expiration of the term of service of so many of his men, retired to his old camp among the hills of the Santee, soon to rejoice over the glorious news from Yorktown. Here he waited for recruits and watched the enemy.

As soon as the camp was reached, Sumner at Greene's request returned to North Carolina for a second time on the thankless business of raising new forces and urging the supplying of his brigade with food and clothing. Colonel Armstrong wrote on February 13th, 1782, from camp at Colonel Shivers, 30 miles from Charleston: "Your officers and soldiers are very naked and no hopes of being better. * * General Greene hath asked me several times if I had any accounts from you and likewise about some clothing he expected you to send to camp." * * "Everything in this State seems to be in our favor. The Assembly of this State is now sitting at Jacksonborough, and is determined to raise two regiments, be the expense what it will. They have made a present of ten thousand guineas to General Greene, to be paid in land; negroes and handse^l furniture of such estate that hath been confiscated in the present Assembly."

On April 7th, 1782, an official report signed by Henry Dixon, Lieutenant-Colonel of the 2nd regiment, and attested by Major J. Burnett, aid de camp of Greene, shows that the brigade then consisted of 1154 men, but that the terms of 326 would expire in the same month, 299 in

May, 141 in June, and so on—1,000 in all by the 1st of January, 1783—leaving only 154 for service. The officers of the South Carolina line and of the legionary corps were authorized by Greene to enlist North Carolina Continentals as fast as discharged. There was universal apathy. The currency became worthless, and people in defiance of stringent laws began to refuse to accept it. Specie began to make its appearance at the North, but very little found its way to our State. There was no "provision made for the soldiers when recruited. One officer writes that he has men, but no food; another that he has not a single blanket to his company. Another that his drafted men have not come in, and if he obeys Sumner's order to march he will go alone. Another says that the men came in slowly, and that numbers desert, "we are very scarce of provisions and under the necessity of impressing from the inhabitants who have been greatly disturbed." * * The people will make very little corn in this (Caswell) county."

It is impossible at this late day to trace with any minuteness the actions of General Sumner during the last eighteen months of the war. As no great movements of the armies were inaugurated it is probable that he remained in North Carolina, prosecuting his duty of raising troops. In this, his efforts, as were similar efforts in other States, had little success. The ravages of disease in the low lands of South Carolina where the operations were carried on, had been so great that each recruit as he turned his back on North Carolina felt that he was marching to suffering and death. Drafting was the only remedy, and this became so odious that only one-third of those liable in North Carolina were procured, while in Virginia and South Carolina the authorities refused to adopt this method of replenishing their armies. The country seemed exhausted, and the long prayed for peace came none too soon.

On the 23rd of April, 1783, furloughs were granted to the North Carolina soldiers, and they returned gladly to their homes. In some few places they were received with festivities and rejoicings, but most of them settled quietly to the pursuits of peace. It should be remembered that no North Carolina soldiers were guilty of mutinous attempts to obtain their rights by force, as were those of various other States, and that a North Carolinian (Howe) was called by Washington to protect the National Legislature from the threats of violence of mobs. Our officers and privates were content to rely on the sense of justice of their State government, and history shows that all was done that could be done by a ruined people. Large grants of the fertile lands of Tennessee were made them, including 25,000 acres to General Greene, while General Sumner's share was 12,000 acres. A commission was appointed to settle and pay the just dues, which the Continental Congress had failed to discharge.

In the closing years of the war only the energy generated by fears of defeat and ruin had kept up the people to the fighting point. After the capture of Cornwallis there was a universal feeling that the war was practically over. The exertions, which were the fruit of terror and despair, gave way to supineness and lethargy. The poor soldiers, far from home, seemed to have been forgotten. In some commands there were mutinies and threats to enforce their rights at the point of the bayonets. An Alexander, a Cæsar, a Napoleon, might have urged the fierce discontent of the army for the auguration of a military despotism. The great and good Washington, by the union of kindly sympathy and occasional force, quieted these troubles. The brave soldiers who encountered all the sufferings which can afflict mankind, hunger, thirst, nakedness, disease, wounds, separation from loved

ones, apparent ingratitude and neglect from those in civil authority, officers whose fame will never die, and their humble followers, "unnamed demigods of history," hung up their swords and their muskets on the bare walls of their ruined dwellings, and addressed themselves manfully to repairing their shattered fortunes and laying the foundation of the Great Republic of the world. As S. S. Prentiss so beautifully said to the returned soldiers from the Mexican war: "Thus the dark thunder cloud at Nature's summons marshals its black battallions and hovers in the horizon, but at length its lightnings spent, its mission finished, its dread artillery silenced, it melts away into the blue ether, and the next morning may be found glittering in the dew drops among the flowers, or assisting by its kindly moisture the growth of the young and tender plants."

General Sumner was exempt from some of the trials suffered by his compatriots. He was a man of large possessions. His home was not in the track of the armies and suffered no injury from rude soldiery. His neighbors were all loyal to America and we find no depredations of Tories or deserters in Bute. His prudence kept him from debt. In the midst of admiring friends, enjoying the satisfaction of a well-earned reputation, he spent the residue of his days in the management of his estate, the care of his slaves and his blooded horses, the training of his children and the exercise of a generous hospitality. His wife probably died during the war, as she seems to have been living in 1781, and was not living in 1785.

Only once was he induced to leave his privacy. In 1784 was formed the Society of the Cincinnati, composed of officers of the Continental army. Its name was taken from the personification of Washington called like Cincinnati of old from his farm to the salvation of his coun-

try. It was designed to perpetuate the feelings of patriotism and brotherly affection engendered by the long struggle together for Independence, and provide for the indigent in their ranks. Washington was its President General. General Sumner was President of the North Carolina division and presided over a meeting of the delegates at Hillsboro on April 13th. As delegates to the general body he appointed Archibald Lyttle, Maj. Reading Blount and Maj. Griffith J. McRee. As in the original incorporation the primogeniture principle was contemplated, fears entered the public mind that the Society was an entering wedge for the introduction of an aristocracy into our country. This hostility, coupled with the difficulty of communication in this large but thinly settled State gave it a short life here. In some of the States it still flourishes, Hamilton Fish, of New York, being the successor of Washington as President General. From it is derived the name of one of the most flourishing cities of the West.

Before closing, I must give you some details throwing light upon General Sumner as a citizen.

We have the inventory of his effects, returned by his executors. Including the bounty lands in Tennessee, he left over 20,000 acres of land, besides town lots in Halifax, Louisburg and Smithfield, in Virginia. He owned two valuable farms in Warren county, one called his "Manor Plantation" and the other his "Bute Court House Plantation." On them were thirty-five slaves, nearly all able to work; and seventeen horses, some of them racers; and about 240 hogs, twenty sheep and eighty-six head of other cattle. The possession of this large amount of stock, together with 150 barrels of old corn and a quantity of bacon and beef and "six hogsheads of prized tobacco and about two to prize," as late as the 15th of March, after the winter was passed, is a pretty good

showing for his management. The mention of a "quantity of quart bottles, some rum, brandy, cyder and wine," five large China bowls and four small ditto, shows that he kept up the convivial habits which distinguished Warren society for so many years, while the "one chamber chair" suggests that the war-worn veteran, after leaving his active army life, may have contracted by too generous living that affliction formerly called the aristocratic disease, the gout, exceedingly common in that day. There is an enumeration of large quantities of earthenware and china, silver and ivory-handled knives and forks, "two square tables, two round tables and two tea ditto," which shows that he was accustomed to exercise bountiful hospitality. As mementos of his army experience we find £2,374. 9s. 6d. of army certificates, his silver-handled sword, bequeathed to his eldest son, his fire-arms bequeathed to his second son, and "his camp-beds, bedsteads and furniture," which he gave to his daughter. The silver salver, silver spoons, "large and small," silver-handled and ivory-handled knives, china-ware and other furniture, gold watch and silver watch, show that he lived in good style, while his division of his "printed books" between his two sons, in that day when books were quite rare, indicates that he had some taste for literature.

The end was much nearer than the age of fifty-two years would seem to make probable. The exposures of war from the bitter cold of Valley Forge to the fever swamps of South Carolina, whence deadly miasma rises almost like a visible mist, undermined his strong constitution. General Sumner's will is dated March 15th, 1785, and the inventory returned by his executors is dated March 19th, 1785, so that he must have died between these dates.

I regret that I can ascertain nothing satisfactory about General Sumner's wife. Smyth states, as I have mention-

ed, that she was young at the time of the marriage, of good family and of a handsome fortune. Wheeler says that she was a widow Heiss, of New Berne, but none of the old inhabitants of that town know anything about her. General Sumner bequeaths to his daughter the "clothing and jewels of his wife, now in possession of Mrs. Long, of Halifax." Mrs. Long of Halifax, the widow of Col. Nicholas Long, the Commissary-General, was a notable lady, whose maiden name was McKinnie, and, from the fact that Mrs. Sumner's clothing and jewels were left with her, coupled with the fact that one of her sons was named McKinnie Hurst, and further that it appears from an act of the General Assembly, disentailing some lands, that the McKinnies and Hursts were related, the presumption is that she was either a McKinnie or a Hurst, nearly related to Mrs. Long. This presumption is strengthened by the fact that one of the devisees of Sumner's lands, in case of the death of all his children in their minority, was Nicholas Long, Jr., a son of Mrs. Long.

General Sumner left three children, all minors. We do not know the dates of his marriage, or of the birth of any of his children, except Jacky Sullivan, who married Thomas Blount, a brother of Major Reading Blount, one of Sumner's Colonels. She changed her name to Mary Sumner Blount, and died in 1822. She was born in 1778 and was probably the youngest child. The two sons were Thomas Edward and McKinney Hurst. To the former doubtless the oldest child, was devised his Manor Plantation. To McKinney Hurst, the Bute Court House Plantation. In case either should die in their minority the other was to have the whole. If all his children should die in their minority his lands were to go to Nicholas Long, Jr., and the oldest son of Benjamin McCulloch and James Gray. His executors nominated were

Benjamin McCulloch, John Baptista Ashe Young McLemon and James Grey, but only McCulloch and Grey qualified. The sons died without issue, and so all the property finally vested in Mrs. Jacky Sullivan (or Mary Sumner Blount), and was by her scattered among sixty legatees, including the Episcopal church of Raleigh and friends who had been kind to her. Her husband was a member of Congress of the United States, and one of the commissioners to locate the Capital and also the University.

From the foregoing sketch, hastily prepared from materials scattered through scores of manuscript letters and numerous printed books, we are able to estimate what manner of man Jethro Sumner was. He was not a genius; he had little education derived from books. But he had a generous nature and a big heart. One of his colonels writes, "Dear General, you are no stranger to our sufferings; we have our eyes upon you as our support in our hour of need." They did not lean on a broken reed, but on a sturdy oaken staff. He had a strong head and sound common sense. General Greene and Governor Nash and scores of military leaders in the dark hours of a desolated State, of civil strife, of ruined currency, of despondency and of terror, asked the aid of his sagacity and pluck, and asked not in vain. He had a long experience in actual military service in the field through most of the French war, and from the burning of Norfolk, January 1st, 1776, until the close in 1783, in fierce battles, in laborious marches, in dreary encampments, in thankless recruiting service, from a Lieutenant to a Brigadier-General's place. Although not brilliant, he was always faithful and reliable, performing his full duty without faltering and without a murmur. In all his letters we find no carping at superiors, no jealousy of equals, no despondency or cowardice of heart. He was a loyal, brave, true, gallant soldier. He had no art to push himself, or

publish his exploits. He kept no predecessor of the modern newspaper correspondent in his tent in order to puff him into notoriety. He did his whole duty and made no boast. He left no posterity to keep his fame burnished. The noble State love of Judge Schenck has brought his bones from their secluded resting-place in the woods of Warren to this beautiful battle park, where his monument can be seen and his name read by countless visitors. He has likewise caused me to exhume his military and civil record from musty manuscripts and notices scattered in many books, and expose it to the eyes of all who take interest in the deeds and sufferings of our forefathers. I thank him and his committee for putting this task upon me.

Fellow Citizens: I have endeavored to give you a truthful account, not making the subject of my address a hero impossible to be imitated, or an unapproachable saint, but exactly as he was—a man, a gentle-man, whom all should know and love. I hope, in view of all his sacrifices for us and our liberties, in view of his kindly acts to our suffering ancestors, you will join me in thanks to the giver of all good, because of His gift to North Carolina of “Jethro Sumner, one of the Heroes of 1776.”*

* This is the inscription on Sumner's monument.

NOTE.—By a slip of memory it is stated on page 34 that Sumner joined in the advice to Lincoln to cross the Savannah in November, instead of April, 1779. Ashe's defeat was in November 1779, *1779* and of course did not frustrate the movement. K. P. B.

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